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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) No. 13-MJ-70291

14 Plaintiff,)

15 v.)

16 PEDRO TZIU-AKE,)

17 Material Witnesses.)

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MOTION AND [PROPOSED] ORDER FOR RELEASE

The government hereby moves for an order releasing Pedro Tziu-Ake from the custody of the United States Marshals Service.

Pedro Tziu-Ake was identified as a material witness in the matter of *United States v. Jeyser Ivan Tziu-Ake*, 13-CR-00170 RS. This Court issued a material witness arrest warrant, pursuant to Title 18, United States Code, section 3144, and an order to take a material witness deposition, in accord with Federal Rule of Criminal Procedure 15. Pedro Tziu-Ake was appointed counsel.

On March 21 and March 28, 2013, counsel for the government and for defendant Jeyser Tziu-Ake conducted a deposition of Pedro Tziu-Ake. Pedro Tziu-Ake was present and

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represented by counsel during those proceedings.

On March 29, 2013, Pedro Tziu-Ake and Jeyser Tziu-Ake, represented by respective counsel, appeared before this Court. All parties confirmed that no further deposition of Pedro Tziu-Ake is requested. The government, therefore, moves that the United States Marshals Service be ordered to release Pedro Tziu-Ake from custody. A detainer, filed by Immigration and Customs Enforcement, is lodged and pending. A copy of that detainer is attached to this motion.

Dated: March 29, 2013

Respectfully submitted,

MEDLINDA HAAG
United States Attorney

SUZANNE B. MILES
Assistant United States Attorney

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(3-mj-70291-MAG)

1 [PROPOSED] ORDER
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3 Upon the representation of the government and defendant Jeyser Tziu-Ake that the
4 deposition of material witness Pedro Tziu-Ake has been completed and no need remains for the
5 continued custody of the witness, the Court hereby orders Pedro Tziu-Ake released from the
6 custody of the United States Marshals Service.

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8 Dated: 4/1/2013

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10 HON. NATHANIEL COUSINS
11 United States Magistrate Judge
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MOTION AND [PROPOSED] ORDER FOR RELEASE